

February 20, 2018

**ERIE COUNTY COUNCIL – Regular Meeting**

Chairman Foust called to order a Regular Meeting of the Erie County Council at 5:00 p.m. at the Erie County Council Chambers, 140 West 6<sup>th</sup> Street, Room 117, Erie, PA. Following the Pledge of Allegiance, Mrs. Loll read the following prayer:

“Let’s take a minute to remember and pray for the students and teachers who lost their lives in Florida. We need to send our condolences and thoughts to the families and let them know that they are not alone. Like the dog, cat and bird that are said to be enemies and predators of each other, but live together in the same home, play together and get along well. We wish that we could learn from them and we could live together as one family. The signs of violence need to be recognized and thwarted in the beginning, not when tragedies happen. These people are not the first to be attacked, but let them be the last. God, be with the families left behind and take the lives lost to your kingdom. Amen.”.

**Roll Call**

Following the Pledge of Allegiance, the County Clerk called the roll:

- Members Present:

Mr. Anderson  
Mrs. Fatica  
Mr. Horton  
Mr. Leone  
Mrs. Loll  
Mr. Rastetter  
Dr. Foust
- Members Absent:

None.
- Also Present:

Douglas R. Smith, County Clerk  
Sue Ellen Pasquale, Manager of Accounting  
James Sparber, Director of Finance  
Joseph Maloney, CPA  
Thomas Talarico, Solicitor

**Citation to Thomas  
Vicary Family**

Mr. Anderson read the following citation, which was a tribute to the passing of Thomas Vicary:

WHEREAS, Thomas Cornish Vicary, youngest son of the late James Wilmarth and Margharita Curtze Vicary, attended the Erie Day School, Westtown Friends School; was a graduate from the Sloan School of Industrial Management at the Massachusetts Institute of Technology; and

WHEREAS, Thomas Cornish Vicary continued his journey running up the ranks in various engineering, sales and management positions with Zurn Industries, while at the same time founding Vitco Corporation in Waterford, Pennsylvania, the leading manufacturer of glass lined pipe for the world’s wastewater treatment plants where he worked with his wife, Cheryl, until their retirement in 2001; and

WHEREAS, Thomas Cornish Vicary made his mark on the community with his involvement on a wide variety of boards and organizations, including the Warner Theater Preservation Trust, the Erie Community Fund Drives Committee, the Erie Philharmonic, Erie School Board Committee for the Watson Curtze Mansion, the Erie County Historical Society, the Erie Day School, Goodell Gardens, and Chorus America; receiving the Erie Community Foundation’s Edward C. Doll Community Service Award, jointly with his wife, along with the Erie County Historical Society’s 2004 History Maker’s Award, and honorary doctorates of Public Service from Edinboro University in 2005;

WHEREAS, Thomas Cornish Vicary leaves behind his beloved wife of 51 years, Cheryl, four children and six grandchildren; and to his community has left a legacy that emboldened integrity,

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humility, compassion, and a love for civic duty that shall transcend his grandchildren and their children after.

NOW THEREFORE WE THE UNDERSIGNED Members of Erie County Council, and specifically Carl Anderson, III, with greatest mutual respect for love and dedication to history and historic preservation in our community, join family and friends in recognizing the many accomplishments of Thomas Vicary; adding our sincerest condolences for his passing on January 31, 2018.

**Hearing of The Public**

Jason Brendel; Erie, PA; Mr. Brendel inquired as to the liaison to Human Services. He discussed the 302s that occurred in August 2016, stating evidence that Jay Breneman was behind the 302s. He presented certain documentation to Council. He then stated that if the HRC knows about the PA Fairness Act and works with the LGBT community, it could make a better community. Mr. Brendel states that the PA Fairness Act needs to pass because right now, there is no authority behind the HRC. He then discussed Philadelphia, Pittsburgh, Allentown, Reading, and State College passed a resolution in support of a ban on gay conversion therapy for the youth LGBT. He has gotten copies of the resolution from Reading. He stated that funding should be put into inclusion work with the LGBT community. He stated that all need to work together and be transparent and inclusive in the community. He offered to help in any way he could.

**Approval of Minutes**

Mr. Leone moved to approve the minutes the February 7, 2018 Regular Meeting. This was seconded by Mrs. Fatica and carried in a unanimous roll call vote.

**Reports of  
County Officials**

Mrs. Fatica stated that the Finance Committee met on Thursday, February 15, 2018, and agreed to place Resolution 18, 2018, under Old Business; and Ordinances 14-18, 2018, four Board/Authority appointments under New Business on the agenda.

Mr. Horton stated that the Personnel Committee met after the Finance committee on Thursday, February 15, 2018, and agreed to place Ordinances 19 and 20 under New Business.

Mr. Rastetter read the following report:

“I attended the Erie County Conservation District meeting with Carl Anderson. There are a lot of exciting things happening at Headwater Park headquarters, working in conjunction with the Planning Department expanding new trails, and strategic plan; additional property rights and easements and will be able to leverage some of their land asset value as matching money for an upcoming C2P2 grant from the Department of Conservation and Natural Resources. Amy Murdock, interim director of Planning, will be coming to Council asking for our support and at that time, I would encourage my colleagues in supporting the resolution when it is presented.”

**OLD BUSINESS**

**Res. 18, 2018 –  
Grants to Other  
Organizations**

Mr. Leone moved to take Resolution 18 off the table. This was second by Mr. Horton and carried in a unanimous roll call vote.

Mr. Leone moved to amend Resolution 18, under the 5<sup>th</sup> whereas where it indicates 3 persons selected by County Council, to change from rank to categorize. This was seconded by Mr. Horton.

Dr. Foust commented he wasn't sure where this would go, but reiterated what he said in caucus concerning this resolution and the amendment. He stated that this is really all that is needed. Meaning no disrespect to any member of Council, but far too much time and far too much thought on something that really is a roadmap and a reminder to the public that Council is paying attention and going to learn from mistakes of the past. It is something that is sorely needed and it is not going to change the decision-making process in the end of what gets funded or not funded.

The amendment then carried in a unanimous roll call vote.

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Resolution 18, 2018, as amended, then failed with a 3-4 vote, with Mrs. Fatica, Mr. Anderson, Mr. Rastetter, and Mrs. Loll voting No.

**Motion to Amend  
Agenda**

Mr. Leone moved to amend the agenda, making Ordinances 14-20 second readings, and adding one appointment. This was seconded by Mr. Horton and carried in a unanimous roll call vote.

**Ord. 14, 2018 – Ltr.  
Of Credit - PRM**

Mr. Smith gave a second reading of Ordinance Number 14, 2018, “An Ordinance Of The County Of Erie, Pennsylvania (The “County”) Authorizing And Directing The Execution And Delivery Of A Guaranty Agreement For The Benefit Of Pleasant Ridge Manor (“Pleasant Ridge”) And Compliance With The Provisions Thereof And Incurring Nonelectoral Debt Thereby; Approving A \$700,000 Letter Of Credit Agreement From Pleasant Ridge To PNC Bank, National Association; Directing The Proper Officers Of The County To Take Necessary Actions; And Repealing All Inconsistent Ordinances”. This was moved by Mr. Leone, second by Mr. Horton, and carried in a unanimous roll call vote.

Dr. Foust clarified for the audience that the projector screen shows action that is taken in a little greater detail. Rules of Council are that ordinances require two readings, which is why many were moved to second readings tonight because there is not a lot of controversy to them and the County can capture the benefits of the grant or whatever the action is a little bit sooner by doing so. A resolution requires only one reading, as does appointments to different boards and authorities.

**Ord. 15, 2018 – GF  
SA Westlaw Contract**

Mr. Smith gave a second reading Ordinance Number 15, 2018, “2018 General Fund Budget Waiver of County Purchasing Code For A Three Year Contract For Westlaw Subscription For Judges’ Library”. This was moved by Mr. Leone, seconded by Mr. Horton, and carried in a unanimous roll call vote.

**Ord. 16, 2018 – GF  
SA PEMA Grant**

Mr. Smith gave a second reading of Ordinance Number 16, 2018, “Seventh 2018 General Fund Budget Supplemental Appropriation Of \$5,999 PEMA Grant For IACIS Basic Computer Forensic Examiner Course”. This was moved by Mr. Anderson, seconded by Mr. Leone, and carried in a unanimous roll call vote.

**Ord. 17, 2018 – GF  
SA PCCD Grant**

Mr. Smith gave a second reading of Ordinance Number 17, 2018, “Eighth 2018 General Fund Budget Supplemental Appropriation Of \$2,000 PCCD And New Line Item for Delinquency Prevention Grant”. This was moved by Mr. Leone, seconded by Mr. Horton, and carried in a unanimous roll call vote.

**Ord. 18, 2018 – PS  
SA Sale of Surplus  
Equip.**

Mr. Smith gave a second reading of Ordinance Number 18, 2018, “First 2018 Public Safety Fund Budget Supplemental Appropriation Of \$3,800 And Creation Of Line Item For Sale Of Obsolete/Surplus Equipment”. This was moved by Mr. Anderson, seconded by Mr. Horton, and carried in a unanimous roll call vote.

**Ord. 19, 2018 – GF  
SA First Dep. Clerk of  
Courts**

Mr. Smith gave a second reading of Ordinance Number 19, 2018, “Ninth 2018 General Fund Budget Supplemental Appropriation Of \$34,268 To Re-Establish First Deputy Clerk Of Courts Position”. This was moved by Mr. Leone, seconded by Mr. Horton, and carried in a unanimous roll call vote.

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**Ord. 20, 2018 – GF  
SA – Eliminate Dep.  
Prothonotary; Create  
Deputy Clerk of Records**

Mr. Smith gave a second reading of Ordinance Number 20, 2018, “Tenth 2018 General Fund Budget Supplemental Appropriation Of \$8,480 To Eliminate The Position Of First Deputy Prothonotary and Create Deputy Clerk Of Records”. This was moved by Mr. Horton, seconded by Mrs. Fatica, and carried in a unanimous roll call vote.

**BOARD/AUTHORITY  
APPOINTMENTS**

Mr. Leone moved to approve the following Board/Authority appointments. This was second by Mr. Anderson and carried in a unanimous roll call vote:

- Patrick S. Carrara to the Erie County Convention Center Authority
- Jack Lee to the Erie County Land Bank
- Jennifer Hirneisen to the Erie County Land Bank
- Christine Rush to the Erie County Land Bank
- Dottie Schloss to the Erie County Land Bank

Dr. Foust commented that he is very happy that Mr. Lee accepted his offer to sit on the Land Bank Board. His background in the building trades and as a current Summit Township Supervisor will serve that Board well.

There being no further business, the meeting then adjourned at 5:28 p.m.

Deneé M. Breter, Council Secretary

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